



**Service of Process  
Transmittal**

12/08/2020

CT Log Number 538713211

**TO:** Kim Lundy Service Of Process  
Walmart Inc.  
702 SW 8TH ST  
BENTONVILLE, AR 72716-6209

**RE: Process Served in Texas**

**FOR:** WALMART INC. (Domestic State: DE)  
*According to our records representation services for this entity have been discontinued in this jurisdiction.*

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

**TITLE OF ACTION:** Martinez Maria, etc. and as Next Friend Of J.M., Pltf. vs. Walmart Inc., Dft.

**DOCUMENT(S) SERVED:** Citation, Return(s), Petition, Request(s)

**COURT/AGENCY:** 190th Judicial District Court Harris County, TX  
Case # 202078101

**NATURE OF ACTION:** Personal Injury - Slip/Trip and Fall - 05/28/2019 - in Houston, Texas.

**ON WHOM PROCESS WAS SERVED:** C T Corporation System, Dallas, TX

**DATE AND HOUR OF SERVICE:** By Process Server on 12/08/2020 at 02:21

**JURISDICTION SERVED :** Texas

**APPEARANCE OR ANSWER DUE:** By 10:00 a.m. on the Monday next after the expiration of 20 days after you were served (Document(s) may contain additional answer dates)

**ATTORNEY(S) / SENDER(S):** Annie Basu  
Basu Law Firm, PLLC  
P.O. Box 550496  
Houston, TX 77255  
713-460-2673

**ACTION ITEMS:** CT has retained the current log, Retain Date: 12/08/2020, Expected Purge Date: 12/13/2020  
  
Image SOP  
  
Email Notification, Kim Lundy Service Of Process ctlawsuits@walmartlegal.com

**REGISTERED AGENT ADDRESS:** Nora Braden  
350 North St. Paul Street  
c/o C T Corporation System  
Dallas, TX 75201  
877-564-7529  
MajorAccountTeam2@wolterskluwer.com

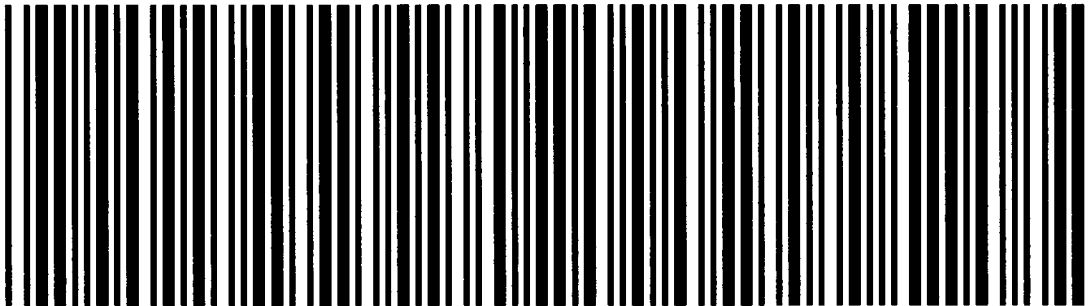
The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

## PROCESS SERVER DELIVERY DETAILS

**Date:** Tue, Dec 8, 2020

**Server Name:** john buford jr

Entity Served	Wal-Mart Inc.
Agent Name	
Case Number	202078101
Jurisdiction	TX



12/18/2020

CAUSE NO. 202078101

COPY OF PLEADING PROVIDED BY PLT

RECEIPT NO: 920992 TRACKING NO: 73818849  
EML

Plaintiff:	In The 190th
MARTINEZ, JAMILET (INDIVIDUALLY AND NEXT FRIEND OF J M	Judicial District Court of
MINOR)	
vs.	Harris County, Texas
Defendant:	201 CAROLINE
WALMART INC	Houston, Texas

**CITATION CORPORATE****THE STATE OF TEXAS**  
**County of Harris****To: WALMART INC (CORPORATION) BY SERVING ITS REGISTERED AGENT CT CORPORATION  
SYSTEM  
1999 BRYAN ST STE 900, DALLAS TX 75201**

Attached is a copy of: PLAINTIFF'S ORIGINAL PETITION

This instrument was filed on December 7, 2020 in the above cited cause number and court. The instrument attached describes the claim against you.

**YOU HAVE BEEN SUED.** You may employ an attorney. If you or your Attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration date of 20 days after you were served this citation and petition, a default judgment may be taken against you.

This citation was issued on December 7, 2020, under my hand and seal of said court.

Issued at the request of:Basu, Annie  
P.O. B 550496  
HOUSTON, TX 77255  
713-460-2673  
Bar Number: 24047858*Marilyn Burgess*

Marilyn Burgess, District Clerk

Harris County, Texas  
201 CAROLINE Houston Texas 77002  
(PO Box 4651, Houston, Texas 77210)

Generated By: CHANCESAS OUGRAH

EML

Tracking Number: 73818849

CAUSE NUMBER: 202078101

**PLAINTIFF: MARTINEZ, JAMILET (INDIVIDUALLY AND NEXT FRIEND OF J M MINOR)** In the 190th  
vs. **Judicial District Court of**  
**DEFENDANT: WALMART INC** **Harris County, Texas**

OFFICER - AUTHORIZED PERSON RETURN

Came to hand at \_\_\_\_\_ o'clock \_\_\_\_ M. on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. Executed at

(Address) \_\_\_\_\_  
in \_\_\_\_\_

\_\_\_\_\_ County at o'clock \_\_\_\_ M. On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by

Delivering to \_\_\_\_\_ defendant, in person, a true copy of this Citation together with the accompanying \_\_\_\_\_ copy (ies) of the «Attachment». Petition attached thereto and I endorsed on said copy of the Citation the date of delivery.

To certify which I affix my hand officially this \_\_\_\_\_ day of \_\_\_\_\_, 20.

Fees \$ \_\_\_\_\_

\_\_\_\_\_  
Affiant

By \_\_\_\_\_  
Deputy

On this day, \_\_\_\_\_, known to me to be the person whose signature appears on the foregoing return, personally appeared. After being by me duly sworn, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

SWORN TO AND SUBSCRIBED BEFORE ME, On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

CAUSE NO. \_\_\_\_\_

MARIA MARTINEZ, INDIVIDUALLY, §  
AND AS NEXT FRIEND OF J.M. §  
Plaintiff §

IN THE DISTRICT COURT

V.

§

\_\_\_\_ JUDICIAL DISTRICT

WALMART INC,  
Defendant

§

§

§

HARRIS COUNTY, TEXAS

**PLAINTIFF'S ORIGINAL PETITION**

**TO THE HONORABLE JUDGE OF SAID COURT:**

**NOW COMES** Maria Martinez, Individually, and as next friend of Jamilet Martinez, a minor, hereinafter called Plaintiffs, complaining of Walmart Inc., hereinafter called Defendant, and for cause of action show unto the Court the following:

**I.**  
**LEVEL**

Discovery is intended to be conducted under Level 2 of Texas Rules of Civil Procedure 190.

**II.**  
**PARTIES**

Plaintiff, Maria Martinez, is an individual who resides in Harris County.

Plaintiff, Jamilet Martinez, a minor, is an individual who resides in Harris County.

Defendant, Walmart Inc is a Corporation doing business in Harris County, Texas. Defendant may be served with process by serving its registered agent CT Corporation System at 1999 Bryan St. STE 900, Dallas, Texas 75201.

**III.**  
**VENUE**

The subject matter in controversy is within the jurisdictional limits of this court.

Plaintiffs seek:

- a. only monetary relief of over \$250,000 and not less than \$1,000,000.00, or less including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees.

Venue in Harris County is proper in this cause under Section 15.002(a)(1) of the Texas Civil Practice and Remedies Code because the cause of action occurred in Harris County, Texas.

**IV.**  
**FACTS**

This suit is brought under and by virtue of the laws of the State of Texas to recover those damages which Plaintiffs are justly entitled to receive as compensation for injuries she sustained in an incident that happened on or about May 28, 2019. On that date, Plaintiffs, invitees, visited a Walmart location in Houston, Texas. Plaintiff, Jamilet Martinez, a minor, was shopping with her mother Plaintiff Maria Martinez. Plaintiffs were by the cosmetics department when Plaintiff Jamilet Martinez, a minor, slipped and fell on a white substance that was on the ground. She hurt her hand upon the fall, and was taken to a hospital that same day. The premises owned by Defendant was negligently maintained. On the date of the incident, the premises were under the custody and control of the Defendant that resulted in severe injuries. The Defendant failed to warn Plaintiffs of the dangerous condition and failed to make the dangerous condition safe for Plaintiff prior to her fall.

**V.**  
**NEGLIGENCE**

The occurrence made the basis of this suit and the resulting injuries and damages were proximately caused by the negligence and/or negligence per se of the Defendant, for a variety of acts and omissions, including but not limited to one or more of the following:

1. In failing to properly maintain said premises in a reasonable manner;
2. In failing to properly maintain said premises in a safe manner;
3. In failing to exercise caution;
4. In failing to provide warning; and,
5. In maintaining said premises in a reckless and careless manner.

Each and all of the above acts and/or omissions constituted negligence and each and all were the proximate cause of the following made the basis of this suit and the injuries and damages suffered by the Plaintiffs herein.

**VI.**  
**PREMISES LIABILITY-INVITEES**

The occurrence made the basis of this suit and the resulting injuries and damages were caused by the Defendant's failure to properly maintain said premises in a safe manner. Plaintiff would show that:

1. The Plaintiff was an invitee;
2. The Defendant was a possessor of that premises;
3. A condition on the premises posed an unreasonable risk of harm;
4. The Defendant knew or reasonably should have known of the danger;
5. The Defendant breached its duty of ordinary care by both:

- a. Failing to adequately warn the Plaintiff of the condition, and
  - b. Failing to make the condition reasonably safe; and
6. The Defendant's breach proximately caused the Plaintiff's injuries.

**VII.**  
**DAMAGES**

As a direct and proximate result of the occurrence made the basis of this lawsuit, Plaintiffs were caused to suffer pain and suffering and to incur the following damages:

- A. Reasonable medical care and expenses in the past. These expenses were incurred by Plaintiff for the necessary care and treatment of the injuries resulting from the accident complained of herein and such charges are reasonable and were usual and customary charges for such services in Harris County, Texas;
- B. Reasonable and necessary medical care and expenses which will in all reasonable probability be incurred in the future;
- C. Physical pain and suffering in the past;
- D. Physical pain and suffering in the future;
- E. Physical impairment in the past;
- F. Physical impairment which, in all reasonable probability, will be suffered in the future;
- G. Disfigurement in the past;
- H. Disfigurement in the future;
- I. Mental anguish in the past; and
- J. Mental anguish in the future.



Plaintiff Maria Martinez suffered damages as a result of Defendant's negligence.

**VIII.**  
**JURY TRIAL**

Plaintiffs respectfully request a trial by jury.

**WHEREFORE, PREMISES CONSIDERED,** Plaintiffs respectfully pray that the Defendant be cited to appear and answer herein, and that upon a final hearing of the cause, judgment be entered for the Plaintiffs against Defendant, for damages in an amount within the jurisdictional limits of the Court; together with pre-judgment interest (from the date of injury through the date of judgment) at the maximum rate allowed by law; post-judgment interest at the legal rate, costs of court; and such other and further relief to which the Plaintiffs may be entitled at law or in equity.

Respectfully submitted,

**BASU LAW FIRM, PLLC**

/S/Annie Basu

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Annie Basu

TBN: 24047858

Jordan Sloane

TBN: 24118537

P. O. Box 550496

Houston, Texas 77255

Tel: 713-460-2673

Fax: 713-690-1508

info@basulaw.com

**ATTORNEY FOR PLAINTIFF**

**REQUESTS FOR DISCLOSURE**

Pursuant to the provisions of Tex. R. Civ. P. Rule 190.3, Plaintiff serves upon Defendant, Texas Rule of Civil Procedure 194 Request for Disclosure. You are hereby requested to disclose the information or material described in Rule 194.2(a); 194.2(b); 194.2(c); 194.2(e); 194.2(f) (1), 194.2(f)(2), 194.2(f)(3), 194.2(f)(4)(A), and 194.2(f)(4)(B); 194.2(g); 194.2(h); 194.2(i); 194.2(j), 194.2(k) and 194.2 (l) within fifty days of your receipt of this document, by sending your responses to Annie Basu, P. O. Box 550496, Houston, Texas 77255.

/s/Annie Basu

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ANNIE BASU